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SUPREME COURT

OF THE

UNITED STATES

OCTOBER TERM, 1974

NO. 73-2037

WILLIAM L. HART, Supervisor, Division of Banking, Department of General Administration, State of Washington, *Petitioner*,

v.

THE BANK OF CALIFORNIA, N.A., and WILLIAM B. CAMP, Comptroller of the Currency of the United States, *Respondents*.

BRIEF OF PETITIONER IN REPLY TO RESPONDENTS' BRIEFS IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

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INTRODUCTORY STATEMENT

This Reply Brief is filed by Petitioner pursuant to Rule 24(4) of the Supreme Court Rules in response to arguments first raised in the Briefs of the Respondents in Opposition to the Petition for a Writ of Certiorari.

ARGUMENT

Petitioners, in a related case (Number 73-2012), have already filed a reply brief to Respondents' briefs and petitioner herein (Number 73-2037) is in agreement with the arguments advanced in that reply brief. However, there is a matter not raised in the reply brief in 73-2012 which needs clarification. Respondent Comptroller of the Currency has argued in the last page of its brief that petitioners do not contest the court of appeals' conclusion that "[i]n day to day administration of banking activities within Washington, the Supervisor has treated Seattle as the principal place of business of The Bank of California." This statement by the Respondent Comptroller is incorrect. The issue of the correctness of the court of appeals' decision with respect to the interpretation of Washington law is specifically in issue. This issue encompasses any findings made by the court of appeals to support its conclusion.

In summary, contrary to the statement in the Comptroller's brief, the petitioner does contest the findings of the court of appeals that "[i]n day to day administration of banking activities within Washington, the Supervisor has treated Seattle as the principal place of business of The Bank of California."

CONCLUSION

For the reasons previously stated, a writ of certiorari should issue to review the judgment and opinion of the Ninth Circuit.

Respectfully submitted,

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